

# Exhibit C

**From:** Marc Rosen <mrosen@kkwc.com>  
**Sent:** Tuesday, November 12, 2019 12:03 PM  
**To:** Han, Suhana S.; Arumugam, Myla G.  
**Cc:** David Parker; Joshua K. Bromberg; Graham, Christopher A.; Miles, Christopher R.  
**Subject:** [EXTERNAL] RE: In re Porsche 1782

Suhana, I'm not going to respond to every point in your lengthy email except to say that we've been responsive and have been working hard on the assessment/production issues; that we are not delaying anything, deliberately or otherwise; and that there are 170,000+ unique hits, not 10K hits (10K hits was for request 7, not requests 6 and 7). Anyway, we are working to get a handle on how/why your proposed search terms are overbroad, and we should have a better sense within a couple of days. Shall we all speak on Friday? Say 11:30 am? 12 pm?

Marc

**KLEINBERG  
KAPLAN**

**Marc R. Rosen**  
Kleinberg, Kaplan, Wolff & Cohen, P.C.  
551 Fifth Avenue, New York, NY 10176  
D: (212) 880-9897 | F: (212) 986-8866  
[mrosen@kkwc.com](mailto:mrosen@kkwc.com)  
[www.kkwc.com](http://www.kkwc.com) [[kkwc.com](http://kkwc.com)]

---

**From:** Han, Suhana S. [mailto:HanS@sullcrom.com]  
**Sent:** Monday, November 11, 2019 2:44 PM  
**To:** Marc Rosen; Arumugam, Myla G.  
**Cc:** David Parker; Joshua K. Bromberg; Graham, Christopher A.; Miles, Christopher R.  
**Subject:** RE: In re Porsche 1782

Marc,

We plan to take the 30(b)(6) deposition after Elliott completes its document production. It is in part for that reason that we asked below, twice, when Elliott anticipates beginning its production—a question I note you again did not respond to. You also have not responded to our requests for the search term hit count, although we have requested this information multiple times over the course of two weeks. We are concerned that, despite our attempts to work cooperatively, Elliott is intentionally delaying the negotiation of a discovery protocol and the start of discovery.

We have attempted to begin negotiating the scope of discovery for more than four months, since our July 2, 2019 meet and confer following Judge Abrams' June 25, 2019 decision to grant PSE's application. We first sent you proposed search terms on July 17, 2019. On August 12, 2019, we had a preliminary meet-and-confer regarding the scope of discovery during which you indicated you had identified three custodians and that running PSE's proposed search terms had produced approximately 10K hits, but that further discussion should wait until later. On August 13, 2019, the day after the meet-and-confer, we sent you supplemental search terms. At the same time we sent those terms, we said that we're available to discuss scope and a reasonable process for searching for responsive documents located in Elliott's central recordkeeping system.

On September 3, 2019, after Magistrate Judge Aaron approved the revised definition of Relevant Securities and the protective order, we emailed you to check on the progress of the searches and the hit counts. You responded that we

should wait until after Elliott's objections to Magistrate Judge Aaron's orders were resolved. During a meet-and-confer teleconference on September 13, 2019, you stated that you had identified custodians and taken a preliminary look at the search terms we provided, but said that you did not intend to take further steps until Elliott's objections were resolved. We said that we wanted to make sure we would move quickly after a ruling from Judge Abrams, and in response you assured us that, if Magistrate Judge Aaron's rulings were upheld, you would respond as expeditiously as reasonably possible.

It has now been more than three weeks since Judge Abrams issued her decision upholding Magistrate Judge Aaron's orders on October 15, 2019. Since that time, Elliott has produced no documents and you have refused to engage with us in any meaningful way regarding PSE's proposed search terms or the scope of production. On October 16, 2019, the day after Judge Abrams issued her decision, we emailed you to request a meet-and-confer, and when we spoke on October 21, 2019, you advised that you were in the process of evaluating PSE's proposed search terms and that we should discuss at a later time. We followed up on October 27, 2019, and you advised you still were in the process of assessing PSE's proposed search terms. On October 28, 2019, we asked for the hit count—simple information that already should have been in your possession—but you responded that we could talk after you finished your assessment. We asked for the hit count again on October 29, November 1, November 4, and November 7, but each time you have declined to provide it. In the emails below, we have also asked when you anticipate beginning document production and for proposed dates for the 30(b)(6) deposition, but you have declined to provide this information as well.

I again request that you please provide promptly the unique hit count for the searches, the date on which you anticipate beginning document productions, and proposed dates for the 30(b)(6) deposition (at a time after Elliott anticipates completing document productions). To the extent Elliott has any other concerns regarding PSE's proposed search terms or the scope of the other requests, I reiterate that we are willing to discuss these issues and request that we do so now. We are hopeful that that we can proceed with discovery in an expeditious manner, without seeking further intervention by the Court.

Thanks, Suhana

---

**From:** Marc Rosen <[mrosen@kkwc.com](mailto:mrosen@kkwc.com)>

**Sent:** Friday, November 08, 2019 10:48 AM

**To:** Arumugam, Myla G. <[arumugamm@sullcrom.com](mailto:arumugamm@sullcrom.com)>; Han, Suhana S. <[HanS@sullcrom.com](mailto:HanS@sullcrom.com)>

**Cc:** David Parker <[dparker@kkwc.com](mailto:dparker@kkwc.com)>; Joshua K. Bromberg <[JBromberg@kkwc.com](mailto:JBromberg@kkwc.com)>; Graham, Christopher A. <[grahamch@sullcrom.com](mailto:grahamch@sullcrom.com)>; Miles, Christopher R. <[MilesC@sullcrom.com](mailto:MilesC@sullcrom.com)>

**Subject:** [EXTERNAL] RE: In re Porsche 1782

Myla, do you intend to take the deposition before completion of the document production? I would assume no, in which case I don't think it makes sense to propose dates for the deposition now. But if you intend to proceed with the deposition first, please let me know.

Anyway, I'm out of the office now, but we will further respond to your email early next week or so.

Thanks,  
Marc

**KLEINBERG  
KAPLAN**

**Marc R. Rosen**

Kleinberg, Kaplan, Wolff & Cohen, P.C.

551 Fifth Avenue, New York, NY 10176

D: (212) 880-9897 | F: (212) 986-8866

[mrosen@kkwc.com](mailto:mrosen@kkwc.com)

[www.kkwc.com](http://www.kkwc.com) [[kkwc.com](http://kkwc.com)]

---

**From:** Arumugam, Myla G. [<mailto:arumugamm@sullcrom.com>]  
**Sent:** Thursday, November 07, 2019 11:15 AM  
**To:** Han, Suhana S.; Marc Rosen  
**Cc:** David Parker; Joshua K. Bromberg; Graham, Christopher A.; Miles, Christopher R.  
**Subject:** RE: In re Porsche 1782

Marc,

We are following up on the below email. As requested below, please provide the hit counts to the original terms, advise when Elliott anticipates it will begin document production and propose dates for the depositions.

Thank you,  
Myla

---

**From:** Han, Suhana S. <[HanS@sullcrom.com](mailto:HanS@sullcrom.com)>  
**Sent:** Monday, November 04, 2019 9:55 AM  
**To:** Marc Rosen <[mrosen@kkwc.com](mailto:mrosen@kkwc.com)>; Arumugam, Myla G. <[arumugamm@sullcrom.com](mailto:arumugamm@sullcrom.com)>  
**Cc:** David Parker <[dparker@kkwc.com](mailto:dparker@kkwc.com)>; Joshua K. Bromberg <[JBromberg@kkwc.com](mailto:JBromberg@kkwc.com)>; Graham, Christopher A. <[grahamch@sullcrom.com](mailto:grahamch@sullcrom.com)>; Miles, Christopher R. <[MilesC@sullcrom.com](mailto:MilesC@sullcrom.com)>  
**Subject:** RE: In re Porsche 1782

Marc,

You indicated below that the terms we provided returned a “very large number of hits.” We are trying to understand what that volume is. Additionally, you indicated that Elliott is unilaterally attempting to revise the terms we provided in order to decrease that volume. As you know, it is common for the party running terms provided by the opposing party to supply the hit counts so that all parties are on the same page moving forward. So please provide us with the hit count report as soon as possible. Also please advise when Elliott will begin to produce responsive documents; we are fine with a rolling production. We also would like to schedule the 30(b)(6) deposition, so please propose some dates.

Thanks, Suhana

---

**From:** Marc Rosen <[mrosen@kkwc.com](mailto:mrosen@kkwc.com)>  
**Sent:** Monday, November 04, 2019 9:16 AM  
**To:** Han, Suhana S. <[HanS@sullcrom.com](mailto:HanS@sullcrom.com)>; Arumugam, Myla G. <[arumugamm@sullcrom.com](mailto:arumugamm@sullcrom.com)>  
**Cc:** David Parker <[dparker@kkwc.com](mailto:dparker@kkwc.com)>; Joshua K. Bromberg <[JBromberg@kkwc.com](mailto:JBromberg@kkwc.com)>; Graham, Christopher A. <[grahamch@sullcrom.com](mailto:grahamch@sullcrom.com)>; Miles, Christopher R. <[MilesC@sullcrom.com](mailto:MilesC@sullcrom.com)>  
**Subject:** [EXTERNAL] RE: In re Porsche 1782

Suhana/Myla - Can you please let me know why you want to know the gross hit counts? When we're in a position to discuss burden (if we need to do so), we will let you know of course.

**KLEINBERG  
KAPLAN**

**Marc R. Rosen**

Kleinberg, Kaplan, Wolff & Cohen, P.C.  
551 Fifth Avenue, New York, NY 10176  
D: (212) 880-9897 | F: (212) 986-8866

[mrosen@kkwc.com](mailto:mrosen@kkwc.com)

[www.kkwc.com](http://www.kkwc.com) [[kkwc.com](http://kkwc.com)] [[protect-us.mimecast.com](http://protect-us.mimecast.com)]

---

**From:** Han, Suhana S. [<mailto:HanS@sullcrom.com>]  
**Sent:** Friday, November 01, 2019 3:29 PM  
**To:** Marc Rosen; Arumugam, Myla G.  
**Cc:** David Parker; Joshua K. Bromberg; Graham, Christopher A.; Miles, Christopher R.  
**Subject:** RE: In re Porsche 1782

Marc, as Myla's email of Oct. 29 noted, we would like the hit count per search term, which hasn't been provided to us. While we appreciate that you'll get back to us after Elliott's assessment, in the meantime, we'd like to know the universe of potentially responsive documents and assess any potential claims of burden. We would like to avoid any further delay, and being provided with the hit count now would expedite the process.

Thanks, Suhana

---

**From:** Marc Rosen <[mrosen@kkwc.com](mailto:mrosen@kkwc.com)>  
**Sent:** Friday, November 01, 2019 2:47 PM  
**To:** Arumugam, Myla G. <[arumugamm@sullcrom.com](mailto:arumugamm@sullcrom.com)>  
**Cc:** David Parker <[dparker@kkwc.com](mailto:dparker@kkwc.com)>; Joshua K. Bromberg <[JBromberg@kkwc.com](mailto:JBromberg@kkwc.com)>; Han, Suhana S. <[HanS@sullcrom.com](mailto:HanS@sullcrom.com)>; Graham, Christopher A. <[grahamch@sullcrom.com](mailto:grahamch@sullcrom.com)>; Miles, Christopher R. <[MilesC@sullcrom.com](mailto:MilesC@sullcrom.com)>  
**Subject:** [EXTERNAL] RE: In re Porsche 1782

Myla, I believe I responded to your email on Tuesday afternoon (10/29). Have a nice weekend.

**KLEINBERG  
KAPLAN**

**Marc R. Rosen**

Kleinberg, Kaplan, Wolff & Cohen, P.C.  
551 Fifth Avenue, New York, NY 10176  
D: (212) 880-9897 | F: (212) 986-8866

[mrosen@kkwc.com](mailto:mrosen@kkwc.com)

[www.kkwc.com](http://www.kkwc.com) [[kkwc.com](http://kkwc.com)] [[protect-us.mimecast.com](http://protect-us.mimecast.com)] [[protect-us.mimecast.com](http://protect-us.mimecast.com)]

---

**From:** Arumugam, Myla G. [<mailto:arumugamm@sullcrom.com>]  
**Sent:** Friday, November 01, 2019 1:56 PM  
**To:** Marc Rosen  
**Cc:** David Parker; Joshua K. Bromberg; Han, Suhana S.; Graham, Christopher A.; Miles, Christopher R.  
**Subject:** RE: In re Porsche 1782

Marc,

I am following up on my email below.

Thanks,  
Myla

---

**From:** Arumugam, Myla G.  
**Sent:** Tuesday, October 29, 2019 2:45 PM  
**To:** 'Marc Rosen' <[mrosen@kkwc.com](mailto:mrosen@kkwc.com)>  
**Cc:** David Parker <[dparker@kkwc.com](mailto:dparker@kkwc.com)>; Joshua K. Bromberg <[JBromberg@kkwc.com](mailto:JBromberg@kkwc.com)>; Han, Suhana S. <[HanS@sullcrom.com](mailto:HanS@sullcrom.com)>; Graham, Christopher A. <[grahamch@sullcrom.com](mailto:grahamch@sullcrom.com)>; Miles, Christopher R.

<[MilesC@sullcrom.com](mailto:MilesC@sullcrom.com)>

**Subject:** RE: In re Porsche 1782

Marc,

Understanding that you are working on trying to identify terms that may be bringing in unrelated documents, we would still like to know the hit count of the terms we provided you. Please provide those counts. I believe at one of our last meet and confers Josh or someone else on your team mentioned that the hit count was only about 10K documents.

Thank you,  
Myla

---

**From:** Marc Rosen <[mrosen@kkwc.com](mailto:mrosen@kkwc.com)>

**Sent:** Tuesday, October 29, 2019 7:29 AM

**To:** Arumugam, Myla G. <[arumugamm@sullcrom.com](mailto:arumugamm@sullcrom.com)>

**Cc:** David Parker <[dparker@kkwc.com](mailto:dparker@kkwc.com)>; Joshua K. Bromberg <[JBromberg@kkwc.com](mailto:JBromberg@kkwc.com)>; Han, Suhana S. <[HanS@sullcrom.com](mailto:HanS@sullcrom.com)>; Graham, Christopher A. <[grahamch@sullcrom.com](mailto:grahamch@sullcrom.com)>; Miles, Christopher R. <[MilesC@sullcrom.com](mailto:MilesC@sullcrom.com)>

**Subject:** [EXTERNAL] Re: In re Porsche 1782

We'll be in touch after we finish our assessment. Talk soon.

**Marc R. Rosen**

Kleinberg, Kaplan, Wolff & Cohen, P.C.

551 Fifth Avenue, New York, NY 10176

D: (212) 880-9897 | F: (212) 986-8866

[mrosen@kkwc.com](mailto:mrosen@kkwc.com)

[www.kkwc.com](http://www.kkwc.com) [[kkwc.com](http://kkwc.com)] [[protect-us.mimecast.com](http://protect-us.mimecast.com)] [[protect-us.mimecast.com](http://protect-us.mimecast.com)] [[protect-us.mimecast.com](http://protect-us.mimecast.com)]

On Oct 28, 2019, at 3:19 PM, Arumugam, Myla G. <[arumugamm@sullcrom.com](mailto:arumugamm@sullcrom.com)> wrote:

Marc,

Thanks for the update. Can you please provide us a unique hit count by term of the terms we provided you?

Regards,  
Myla

---

**From:** Marc Rosen <[mrosen@kkwc.com](mailto:mrosen@kkwc.com)>

**Sent:** Monday, October 28, 2019 10:50 AM

**To:** Arumugam, Myla G. <[arumugamm@sullcrom.com](mailto:arumugamm@sullcrom.com)>

**Cc:** David Parker <[dparker@kkwc.com](mailto:dparker@kkwc.com)>; Joshua K. Bromberg <[JBromberg@kkwc.com](mailto:JBromberg@kkwc.com)>; Han, Suhana S. <[HanS@sullcrom.com](mailto:HanS@sullcrom.com)>; Graham, Christopher A. <[grahamch@sullcrom.com](mailto:grahamch@sullcrom.com)>; Miles, Christopher R. <[MilesC@sullcrom.com](mailto:MilesC@sullcrom.com)>

**Subject:** [EXTERNAL] RE: In re Porsche 1782

Myla, we've received a very large number of hits, which we're uploading and partially reviewing. We are still assessing the scope of the search terms to see the extent to which unrelated materials are being swept up in the searches. We'll let you know afterwards regarding next steps, etc.

Thanks,  
Marc

**KLEINBERG  
KAPLAN**

**Marc R. Rosen**

Kleinberg, Kaplan, Wolff & Cohen, P.C.  
551 Fifth Avenue, New York, NY 10176  
D: (212) 880-9897 | F: (212) 986-8866

[mrosen@kkwc.com](mailto:mrosen@kkwc.com)

[www.kkwc.com](http://www.kkwc.com) [\[kkwc.com\]](http://kkwc.com) [\[protect-us.mimecast.com\]](http://protect-us.mimecast.com) [\[protect-us.mimecast.com\]](http://protect-us.mimecast.com)  
[\[protect-us.mimecast.com\]](http://protect-us.mimecast.com)

---

**From:** Arumugam, Myla G. [<mailto:arumugamm@sullcrom.com>]

**Sent:** Sunday, October 27, 2019 11:17 AM

**To:** Marc Rosen

**Cc:** David Parker; Joshua K. Bromberg; Han, Suhana S.; Graham, Christopher A.; Miles, Christopher R.

**Subject:** RE: In re Porsche 1782

Marc,

Is there a good time in the next few days to get an update? We would like to continue our conversation from last week and get a sense of Elliott's progress.

Thanks,  
Myla

---

**From:** Marc Rosen <[mrosen@kkwc.com](mailto:mrosen@kkwc.com)>

**Sent:** Wednesday, October 16, 2019 5:15 PM

**To:** Arumugam, Myla G. <[arumugamm@sullcrom.com](mailto:arumugamm@sullcrom.com)>

**Cc:** David Parker <[dparker@kkwc.com](mailto:dparker@kkwc.com)>; Joshua K. Bromberg <[JBromberg@kkwc.com](mailto:JBromberg@kkwc.com)>; Han, Suhana S. <[HanS@sullcrom.com](mailto:HanS@sullcrom.com)>; Graham, Christopher A. <[grahamch@sullcrom.com](mailto:grahamch@sullcrom.com)>; Miles, Christopher R. <[MilesC@sullcrom.com](mailto:MilesC@sullcrom.com)>

**Subject:** [EXTERNAL] Re: In re Porsche 1782

Let's speak Monday at 11 AM.

**Marc R. Rosen**

Kleinberg, Kaplan, Wolff & Cohen, P.C.  
551 Fifth Avenue, New York, NY 10176  
D: (212) 880-9897 | F: (212) 986-8866

[mrosen@kkwc.com](mailto:mrosen@kkwc.com)

[www.kkwc.com](http://www.kkwc.com) [\[kkwc.com\]](http://kkwc.com) [\[protect-us.mimecast.com\]](http://protect-us.mimecast.com) [\[protect-us.mimecast.com\]](http://protect-us.mimecast.com) [\[protect-us.mimecast.com\]](http://protect-us.mimecast.com)

On Oct 16, 2019, at 2:59 PM, Arumugam, Myla G. <[arumugamm@sullcrom.com](mailto:arumugamm@sullcrom.com)> wrote:

David, Marc, Josh,

In light of Judge Abrams' October 15 order, we propose scheduling a meet and confer call to discuss next steps, including what work Elliott is undertaking to comply with the revised subpoenas. We are available all day on Monday and Tuesday afternoon after 1 pm.

Regards,  
Myla

Myla G. Arumugam  
Sullivan & Cromwell LLP | 125 Broad Street |  
New York, NY 10004-2498  
T: (212) 558-3217 | F: (212) 291-9555  
[arumugamm@sullcrom.com](mailto:arumugamm@sullcrom.com) | <http://www.sullcrom.com> [[protect-us.mimecast.com](mailto:protect-us.mimecast.com)]  
[\[protect-us.mimecast.com\]](mailto:protect-us.mimecast.com) [[protect-us.mimecast.com](mailto:protect-us.mimecast.com)]

---

This e-mail is sent by a law firm and contains information that may be privileged and confidential. If you are not the intended recipient, please delete the e-mail and notify us immediately.

---

**\*\*This is an external message from: [mrosen@kkwc.com](mailto:mrosen@kkwc.com) \*\***